

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

WP(Crl.).No. 148 OF 2007(S)

PETITIONER:

K.K. ABDUL KAREEM, AGED 60 YEARS,
S/O. LATE ABOOBACKER, RESIDING AT "ZUHARAS",
KODIYERI, (P.O) MOOZHAKARA.

BY ADV. SRI.C.KHALID
SRI.R.O.MUHAMED SHEMEEM
SRI.T.P.SAJID

RESPONDENTS:

1. STATION HOUSE OFFICER,
CHOKLI POLICE STATION, (PO) CHOKLI,
TELLICHERRY TALUK.
2. CIRCLE INSPECTOR OF POLICE,
KOLAVALLUR POLICE STATION, POST KOLAVALLUR,
TELLICHERRY TALUK.
3. DISTRICT SUPERINTENDENT OF POLICE,
KANNUR.
4. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.
5. C.P. SHAJI, AGED 31 YEARS,
S/O. BALAN, TAXI DRIVER, CHERUPARAMBA HOUSE,
(P.O) CHERUPARAMBA, THOOVAKUNNU, KANNUR.

BY ADV. SRI.M.V.AMARESAN
SRI.PRADIU.K.

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD
ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WP(CRL) 148/2007

PETITIONER'S EXHIBITS:

- EXT.P1 COPY OF THE MARRIAGE CERTIFICATE OF JASEELA
 AND SALEEM.**
- EXT.P2 COPY OF THE BIRTH CERTIFICATE OF
 FATHIMATHUL SANAM.**
- EXT.P3 COPY OF THE TELEGRAM TO DISTRICT
 SUPERINTENDENT OF POLICE, KANNUR.**

RESPONDENTS' EXHIBITS:

NIL.

// TRUE COPY //

P.S. TO JUDGE.

KNC/-

P.R. RAMAN & K. HEMA, JJ.

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W.P.(CRL) NO. 148 OF 2007

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DATED THIS, THE 25TH DAY OF JUNE, 2007.

J U D G M E N T

Raman, J.

Petitioner, Abdul Kareem, aged 60 years is the father of Jaseela, aged 31 years, who is stated to be under the illegal custody of the 5th respondent. According to the petitioner, Jaseela was married by one K. Saleem, son of Abdurahman who is now employed in Body Care Company, at Damam, Saudi Arabia and in the wedlock, a daughter was also born on 14.9.1996. It is alleged that Jaseela used to visit her husband's house Raziya Manzil, where his sister Raziya is residing and that Raziya used to hire taxi car belonging to the 5th respondent who appears to have got acquainted with Jaseela as well. According to the petitioner, on 5.6.2007, Jaseela proceeded to the house of Saleem to meet Raziya; but she did not return thereafter. On enquiry, it was learnt that the 6th respondent had also disappeared from the locality and apprehending that Jaseela would have been abducted by the 5th respondent, a complaint was preferred before the Chokli Police Station on 6.6.2007 and thereafter, this writ petition is filed.

2. Pursuant to the notice issued, the 5th respondent entered

appearance through counsel. The alleged detainee Jaseela also appeared before us. We interacted with her. She has stated that she is not under the illegal custody of the 5th respondent.

3. In view of the above submission made by Jaseela, our jurisdiction of Habeas Corpus comes to an end as she is aged about 30 years. We are also satisfied that the submission of Jaseela, that she is not under the illegal custody of the 5th respondent, is given voluntarily. In such circumstances, this writ petition is closed.

4. According to the learned counsel for the petitioner, an advance copy of the counter affidavit was already received by him. But since the matter is taken up for today, learned counsel for the 5th respondent submitted that he did not file the same. In a Habeas Corpus Writ Petition, when a woman aged 30 years having a child is the detainee, with whom we have interacted, says that she is not under the illegal custody of anybody, nothing remains further to be done.

Accordingly, this writ petition stands closed.

P.R. RAMAN,
(JUDGE)

K. HEMA,
(JUDGE)

knc/-